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ZNY CCCCC ZZH
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FM AMEMBASSY COLOMBO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4691
INFO RUEHKA/AMEMBASSY DHAKA PRIORITY 9578
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 6502
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 4559
RUEHLO/AMEMBASSY LONDON PRIORITY 3303
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 0190
RUEHNY/AMEMBASSY OSLO PRIORITY 3392
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0952
RUEHKO/AMEMBASSY TOKYO PRIORITY 2473
RUEHCG/AMCONSUL CHENNAI PRIORITY 7042
RUEHCI/AMCONSUL KOLKATA PRIORITY 0288
RUEHBI/AMCONSUL MUMBAI PRIORITY 4863
RUEHBS/USEU BRUSSELS PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 1497
RHEHNSC/NSC WASHDC PRIORITY
RUEKDIA/DIA WASHDC PRIORITY
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 001884

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DEPARTMENT FOR SCA/INS AND P

E.O. 12958: DECL: 11/09/2016

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SUBJECT: SRI LANKA: GOVERNMENT MORTAR FIRE KILLS 23
CIVILIANS, INJURES 74

REF: COLOMBO 1792

Classified By: DCM JAMES R. MOORE FOR REASONS 1.4(b) and (d)

11. (C) SUMMARY: The Red Cross reported 23 civilians dead and 74 injured when government mortar fire hit a school housing internally displaced persons (IDPs) near the eastern town of Vakarai on November 8. Government officials confirmed the casualties, but said troops had been unaware of civilians in the area. The government alleged the Liberation Tigers of Tamil Eelam (LTTE) had deliberately surrounded themselves with "human shields" before shelling security forces, thereby provoking the return fire. In a separate incident on November 8, Sri Lanka Monitoring Mission (SLMM) personnel in the northern area of Pooneryn reported that government troops fired on them. Military officials responded that they were not aware of the SLMM presence in the area. They had expected the LTTE to use Pooneryn to launch an attack, and troops therefore fired when they saw any unauthorized movement. End summary.

ARMY MORTAR FIRE KILLS 23 CIVILIAN IDPs, INJURES 74

12. (C) At the opening of business on November 9, senior Government of Sri Lanka (GSL) political and military officials briefed Co-Chair Chiefs of Mission about November 8 GSL mortar fire that killed a number of civilians near the eastern town of Vakarai. The government said the Liberation Tigers of Tamil Eelam (LTTE) had attacked a military camp at Mahindapura, injuring 4 soldiers, an officer, and several civilians. The army located the source of fire via mortar radar, confirmed the information through visual observation, and returned fire to the source of the attack. The GSL mortar fire hit a facility housing internally displaced persons (IDPs), killing 23 civilians and injuring 74 (as confirmed by the Red Cross).

13. (C) According to GSL officials, the LTTE deliberately fired from civilian-populated areas in an attempt to provoke

return fire and put government security forces in a bad light. Human Rights Minister Mahinda Samarasinghe expressed "unreserved regret at this incident involving civilians." However, he called the incident "unavoidable" because of the Tigers' use of "human shields." Army Commander Lieutenant General Sarath Fonseka called their strikes an "accurate and timely" response to LTTE fire.

14. (C) Asked by the DCM to clarify how "accurate" fire could hit a school housing IDPs, GSL interlocutors replied that over 30,000 IDPs are in the area, many housed by the LTTE and Tamil Rehabilitation Organization (TRO) without government knowledge. Military officials added that they had fired on a location two kilometers outside of the nearest known town, Kathiraveli, and had no way of knowing civilians refugees were staying at the site. All Co-Chair representatives expressed grave concern. Norwegian Ambassador Brattskar noted that his government had summoned the Sri Lankan Ambassador to the Foreign Ministry in Oslo to request an accounting of the incident. The EU Charge' asked whether the government would have fired if the human shields had been Sinhalese rather than Tamil. Army Commander Fonseka responded that it was the army's duty to protect "Sinhalese villagers" and that the military would never use human shields. Government officials added that the international community should pressure the LTTE not to endanger civilians, urging the Co-Chairs to look at the event "in context."

ICRC AND SLMM REFUTE GOVERNMENT EXPLANATION

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15. (C) In a November 9 phone conversation with poloff, ICRC Head of Delegation Toon Vandenhove said an ICRC team had helped evacuate the dead and injured to Valachchenai Hospital, east of Polonnaruwa. He had received reports from locals and Sri Lanka Monitoring Mission (SLMM) officials in the area that the facility hit was a school housing 6000 IDPs. In response to government claims that it was impossible to know where the LTTE placed IDPs, Vandenhove said that a single reconnaissance flight would have revealed that the school housed a large number of refugees.

16. (C) Information Officer spoke to SLMM policy advisor Helen Olafsdottir (please protect) by phone November 9. According to Olafsdottir, the LTTE reported that they had earlier informed the Batticaloa Government Agent that the facility in question was a camp for IDPs. Olafsdottir said that the SLMM officers at the scene November 8 saw no signs of a military installation such as foxholes or sandbags. She said that local civilians reported that there were no LTTE cadres in the vicinity. The main building in the area, the school, was heavily damaged by the mortar fire. Olafsdottir reported that local army officials told them that after 1 pm November 9, they could longer "guarantee the safety8 of SLMM personnel, so they should vacate the area.

SLMM FACES ARMY FIRE IN NORTH

17. (C) An SLMM team was also in the northern area of Pooneryn November 8 to explore a possible alternate route to the A-9 highway. (Note: The government closed the A-9 road on August 11 following a large-scale LTTE attack, limiting food, supplies, and transport to Jaffna. Reftel reported the LTTE declined to schedule a second round of negotiations after talks with the GSL in Geneva ended in an impasse over the A-9.) The SLMM reported that they informed the government's peace secretariat and Ministry of Defense prior to traveling to Pooneryn. They were in SLMM uniforms and clearly marked SLMM vehicles and accompanied by LTTE peace secretariat officials when government troops fired on their

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group. According to an SLMM report to the Norwegian Ambassador, army troops shelled the group in three salvos, spaced about ten minutes apart. The SLMM cited no injuries.

18. (C) Brattskar raised the issue with GSL officials at the November 8 briefing. Army Commander General Fonseka responded that the military did not have information the SLMM would be present, and that Pooneryn was on the front line and therefore highly dangerous for travelers. Fonseka said military intelligence indicated the LTTE would soon launch an attack from Pooneryn, so the army instructed troops to fire on any unauthorized movement in the area. He noted that the troops fired from too far away to have seen SLMM logos.

19. (C) COMMENT: The two November 8 incidents underscore the government's increasing blurring of the line between offensive and defensive actions. Although the civilian deaths were the result of government return fire aimed at the LTTE, the GSL firing on Pooneryn targeted persons simply for being in the vicinity. It is deeply worrying that officials regretted the incident but offered no corrective measures to prevent future civilian casualties. Although several Co-Chair representatives pressed for an explanation as to the rules of engagement that would be followed if human shields were used again, GSL officials did not directly respond to the question.

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